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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/810,648 | 03/29/2004 | Kohei Momosaki | 251247US2SRD | 9593 |

22850 7590 10/18/2006

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ALEXANDRIA, VA 22314

EXAMINER

NATNAEL, PAULO S M

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2622

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/810,648

Applicant(s)

MOMOSAKI ET AL.

Examiner

Paulos M. Natnael

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 9, 12-14, 17-22, 27, 30, 32 and 35-39 is/are rejected.
- 7) ☒ Claim(s) 2-8, 10, 11, 15, 16, 23-26, 28, 29, 31, 33 and 34 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 11/15/04; 3/19/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **1,12,13,17,22, 30,35-39** are rejected under 35 U.S.C. 102(e) as being anticipated by **Kahn**, U.S. Pat. No. **7,013,273**.

Considering claims **1,30,35-39**, **Kahn** discloses speech recognition based captioning system. The system converts audio data from a television signal into textual data for display as a close caption on a display device. Abstract. Fig.1 of Kahn illustrates an integrated receiver and decoder (IRD) 5 comprising tuner & demodulator 8, OSD and video processor 16, Speech recognition module (SRM) 12 that generates phonemes (Fig.2), and Main Processor 10 which provides control data and controls the display of the decoded images of the data stream. See col. 3, lines 62 through col. 4, lines 16. Thus, Kahn discloses all claimed subject matter.

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Considering claims **12,13,17,22**, Kahn discloses speech recognition based captioning system. The system converts audio data from a television signal into textual data for display as a close caption on a display device. Abstract. Fig.1 of Kahn illustrates an integrated receiver and decoder (IRD) 5 comprising tuner & demodulator 8, OSD and video processor 16, Speech recognition module (SRM) 12 that generates phonemes (Fig.2), and Main Processor 10 which provides control data and controls the display of the decoded images of the data stream. See col. 3, lines 62 through col. 4, lines 16.

As to the claimed ambient noise detection unit, Kahn discloses the secondary processor 34 identifies and extracts the speech signals...The frequency domain representation of the voice signals may be used, for example, to selectively suppress noise components for each frequency range or to selectively eliminate segments, such as very low tones or lone tones, that are unlikely to include meaningful speech information. [emphasis added] Col. 5, lines 60 through col. 6, line 1.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **9,14,27,32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Khan, US **7,013,273**.

Regarding claim **9,14,27,32**, Kahn does not specifically disclose changing the display state to a display size larger than a normal size. However, the examiner takes official notice in that it is notoriously well known in the art of television and/or computer to change a display screen to a larger or smaller size as needed, toggling back and forth to a OSC and main screen, for example, or change the size of the display within a PIP window itself. Therefore, it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Kahn accordingly.

As to claims **18-21**, Kahn discloses a main processor 10 that provides control data and controls the display of the decoded images of the data stream. Kahn does not specifically disclose whether playback speed and direction is controllable by the main processor 10. However, the examiner takes official notice in that it is notoriously well known in the art of television and/or computers that a control unit, such as the main processor 10 or any controller, microprocessor, microcomputer, or microcontroller, would be programmed to analyze and determine whether playback speed of the playback device is in a given range or in a given threshold or whether it is in a forward or backward direction and, if so, take a measure to correct or return it to a desired level. Therefore, it would have been obvious to those with ordinary skill in the art at the time the invention was made to modify the system of Kahn by providing a processor or a controller to perform the desired, programmed control.

Allowable Subject Matter

5. Claims **2-8,10-11,15,16,23-26,28,29,31,33,34** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

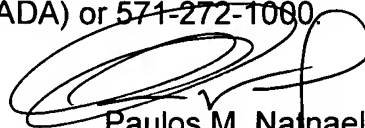
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (571) 272-7354. The examiner can normally be reached on 8AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571)272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Paulos M. Natnael
Primary Examiner
Art Unit 2622



PMN

October 10, 2006